

Please type a plus sign (+) inside this box ☐

UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No.

END-5084NP

First Inventor: Randal T. Byrum

Title: A SURGICAL IMPLANTABLE ADJUSTABLE BAND HAVING A
FLAT PROFILE WHEN IMPLANTEDI hereby certify that this correspondence is being deposited today with the United States Postal Service
as Express Mail - Post Office to Addressee in an envelope addressed to: Assistant Commissioner for
Patents, Box-Patent Application, Washington, DC 20231.

Name:

Kimberly M. Moses

Date:

2-20-04
February 20, 2004(only for new nonprovisional applications under 37 CFR
1.53(b))

Express Mail Label No.

EU923390167US

APPLICATION ELEMENTS

See MPEP Chapter 600 concerning utility patent application contents.

ADDRESS TO:

U.S. Patent and Trademark Office
2011 South Clark Place Customer Window
Mail Stop: Patent Applications
Crystal Plaza Two, Lobby Rm. 1B03
Arlington, Virginia 222021. ☒ Fee Transmittal Form (e.g., PTO/SB/17)

(submit an original and a duplicate for fee processing)

2. ☐ Applicant claims small entity status.3. ☒ Specification [Total Pages 14]

(Preferred arrangement set forth below)

- Descriptive Title of the Invention
- Cross Reference to Related Applications
- Statement Regarding Fed sponsored R&D
- Reference to sequence listing, a table, or a computer program listing appendix
- Background of the Invention
- Brief Summary of the Invention
- Brief Description of the Drawings (if filed)
- Detailed Description
- Claim(s)
- Abstract of the Disclosure

4. ☒ Drawing(s) (35 USC 113) [Total Sheets 4]

5. Oath or Declaration [Total Pages 3]

a. ☒ Executed Copyb. ☐ Copy from a prior application (37 CFR 1.63(d))

(for continuation/divisional with Box 18 completed)

i. ☐ **DELETION OF INVENTOR(S)**Signed statement attached deleting
inventor(s) named in the prior application,
see 37 CFR 1.63(d)(2) and 1.33(b).6. ☐ Application Data Sheet. See 37 CFR 1.767. ☐ CD-ROM or CD-R in duplicate, large table or
Computer Program (Appendix)8. Nucleotide and/or Amino Acid Sequence
Submission (if applicable, all necessary)a. ☐ Computer Readable Form (CRF)b. ☐ Specification Sequence Listing on:i. ☐ CD-ROM or CD-R (2 copies); orii. ☐ paperc. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)11. ☐ English Translation Document (if applicable)12. ☒ Information Disclosure Statement(IDS)/PTO-1449 ☒ Copies of IDS Citations13. ☐ Preliminary Amendment14. ☒ Return Receipt Postcard (MPEP 503)

(Should be specifically itemized)

15. ☐ Certified Copy of Priority Document(s)

(if foreign priority is claimed)

16. ☐ Request and Certifications under 35 U.S.C. 122(b)(2)(B)(i). Applicant must attach form
PTO/SB/35 or its equivalent.17. ☒ Application Cover Sheet
w/Express Mail Certification18. ☐ If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a
preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:☐ Continuation ☐ Divisional ☐ Continuation-in-Part (CIP) of prior application No.: , filed

Prior application information: Examiner Group Art Unit:

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an
oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying
continuation or divisional application and is hereby incorporated by reference. The incorporation can only be
relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label 000027777 or ☒ Correspondence Address below

Name: Philip S. Johnson, Esq.

Address: Johnson & Johnson, One Johnson & Johnson Plaza, New Brunswick, NJ 08933-7003 USA

20. TELEPHONE CONTACT: Please direct all telephone calls or facsimiles to: Dean L. Garner

Telephone: (513) 337-8559

Fax: (513) 337-8489

21. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

NAME

Dean L. Garner

Reg. No. 35,877

SIGNATURE

DATE

February 20, 2004

	<i>Complete if Known</i>	
	Application Number	
	Filing Date	February 20, 2004
	First Named Inventor	Randal T. Byrum
	Group Art Unit	
	Examiner Name	
	Attorney Docket Number	END-5284NP


FEE CALCULATION

CLAIMS AS FILED

(1)	(2)	(3)	(4)	(5)
FOR:	NUMBER FILED	NUMBER EXTRA	RATE	BASIC FEE \$770.00
TOTAL CLAIMS	13 - 3 =	0	x 18.00	\$ 0.00
INDEPENDENT CLAIMS	3 - 3 =	0	x 86.00	\$ 0.00
MULTIPLE DEPENDENT CLAIMS	<input type="checkbox"/>	N/A	X 280.00	
			TOTAL FEES	\$770.00

METHOD OF PAYMENT

- ☒ Please charge Deposit Account No. 10-0750/END-5084NP/DLG in the amount of \$770.00
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required in connection with the filing of this communication, or credit any overpayment, to Account No. 10-0750/END-5084NP/DLG. **One Original and 2 copies of this sheet are enclosed.**

SUBMITTED BY:		<i>Complete (if applicable)</i>
Typed or Printed Name	Dean L. Garner	Reg. No. 35,877
Signature		Deposit Account No. 10-0750
	Date: 02/20/04	